

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

BENJAMIN MOSTAED, on behalf of)	
himself and all others similarly)	
situated,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:11-CV-079-REP
)	
JAMES B. CRAWFORD,)	
ROBERT H. FOGLESONG,)	
RICHARD M. GABRYS,)	
ROBERT B. HOLLAND, BOBBY)	
R. INMAN, DAN R. MOORE,)	
BAXTER F. PHILLIPS, JR.,)	
STANLEY C. SUBOLESKI, LINDA)	
J. WELTY, MASSEY ENERGY)	
COMPANY, and ALPHA NATURAL)	
RESOURCES, INC.,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO CONTINUE INITIAL PRETRIAL CONFERENCE

Defendants, James B. Crawford, Robert H. Foglesong, Richard M. Gabrys, Robert B. Holland, Bobby R. Inman, Dan R. Moore, Stanley C. Suboleski, Linda J. Welty, Baxter F. Phillips, Alpha Natural Resources, Inc. (“Alpha”), and Massey Energy Company (“Massey”) (collectively, “Defendants”), by counsel, submit their Motion to Continue Initial Pretrial Conference. The reasons in support of the motion are set forth in the accompanying memorandum.

WHEREFORE, Defendants request that this Court enter an order continuing the date for the Initial Pretrial Conference until a later date based on the availability of the Court, but no earlier than after the completion of the May 26, 2011 hearing in the Delaware Action.

**MASSEY ENERGY COMPANY,
JAMES B. CRAWFORD, ROBERT H.
FOGLESONG, RICHARD M. GABRYS,
ROBERT B. HOLLAND, BOBBY R.
INMAN, DAN R. MOORE, STANLEY
SUBOLESKI, AND LINDA J. WELTY**

By: /s/ Timothy J. St. George
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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of May 2011, I caused a true and correct copy of the foregoing to be filed on the Electronic Case Filing System, which will send a notice of electronic filing to:

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